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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

[Consent/~~Proposed~~]  
Order of Restitution

v.

GUSTAVO L. VILA

20 Cr. 495 (VB)

Upon the application of the United States of America, by its attorney, Audrey Strauss, United States Attorney for the Southern District of New York, Sarah L. Kushner, Assistant United States Attorney, of counsel; the presentence report; the Defendant's conviction on Count One of the above Information; and all other proceedings in this case, it is hereby ORDERED that:

1. **Restitution**

Gustavo L. Vila, the Defendant, shall pay restitution in the total amount of \$867,870.76, pursuant to 18 U.S.C. § 3663; 18 U.S.C. § 3663A (MVRA), to the victim of the offense charged in Count One. The name, address, and specific amount owed to the victim are set forth in the Schedule of Victims, attached hereto as Schedule A. Upon advice by the United States Attorney's Office of a change of address of the victim, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

Pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid. Restitution shall be paid to the victims as set forth in the Schedule of Victims, attached hereto as Schedule A.

Pursuant to 18 U.S.C. § 3664(j)(1), after the victim has been made whole, the remaining restitution payments shall be paid to the Lawyers' Fund for Client Protection of the State of New York (the "Lawyers' Fund"), according to the terms set forth in Schedule A. Upon advice by the

United States Attorney's Office of a change of address of the Lawyers' Fund, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

**2. Schedule of Payments**

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the Defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the Defendant; and any financial obligations of the Defendant; including obligations to dependents, the Defendant shall pay restitution in the manner and according to the schedule that follows:

The Defendant shall make monthly installment payments in an amount equal to at least 20% percent of the Defendant's gross monthly income, which shall include but is not limited to any pension payments, retirement income, and unemployment benefits; 15% of any Social Security retirement benefits; any and all proceeds received from the sale of any real estate properties; and any and all monies generated from any investments, including but not limited to any investments relating to real estate. While serving the term of imprisonment, the Defendant shall make installment payments toward his restitution obligation; he shall continue to make such payments after his release. While the Defendant is serving his term of imprisonment, the Bureau of Prisons' (BOP) staff shall monitor the Defendant's progress in meeting his restitution obligation.

**3. Payment Instructions**

Restitution payments shall be made payable to the "SDNY Clerk of the Court" and delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The Defendant's name and the docket number of this case shall be written on each check or money order. Credit card payments must be made in person at the Clerk's Office. Any cash payments shall be hand delivered to the Clerk's Office using exact

change, and shall not be mailed. For payments by wire, the Defendant shall contact the Clerk's Office for wiring instructions.

**4. Additional Provisions**

The Defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Unit) of (1) any change of the Defendant's name, residence, or mailing address or (2) any material change in the Defendant's financial resources that affects the Defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k). If the Defendant discloses, or the Government otherwise learns of, additional assets not known to the Government at the time of the execution of this order, the Government may seek a Court order modifying the payment schedule consistent with the discovery of new or additional assets.

**5. Restitution Liability**

The Defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the Defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the Defendant, the Defendant's estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

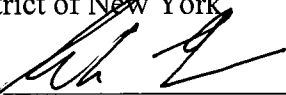
**6. Sealing**

Consistent with 18 U.S.C. §§3771(a)(8) & 3664(d)(4) and Federal Rule of Criminal Procedure 49.1, to protect the privacy interests of the victim, the Schedule of Victims, attached hereto as Schedule A, shall be filed under seal, except that copies may be retained and used or

disclosed by the Government, the Clerk's Office, and the Probation Department, as need be to effect and enforce this Order, without further order of this Court.

AGREED AND CONSENTED TO:

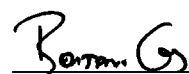
AUDREY STRAUSS  
United States Attorney for the  
District of New York

By:   
Sarah L. Kushner  
One Saint Andrew's Plaza  
New York, N.Y. 10007  
Tel.: (212) 637-2676


4/19/21  
DATE

GUSTAVO L. VILA  
By:   
GUSTAVO L. VILA

4/19/21  
DATE

By:  (BENTAMEN GOL  
FOR SUSANNE BRODY)  
Susanne Brody  
Federal Defenders of New York Inc.  
81 Main Street, Suite 300  
White Plains, N.Y. 10601  
Tel.: (212) 288-1666

4/19/21  
DATE

SO ORDERED:  
  
HONORABLE VINCENT L. BRICCETTI  
UNITED STATES DISTRICT JUDGE

4/19/21  
DATE